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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

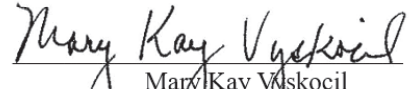
August 17, 2021

BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

The Court GRANTS the parties' request to conduct the upcoming sentencing of Defendant, scheduled for August 24, 2021, remotely by videoconference only. The Court will not proceed if Defendant is unable to appear by video. SO ORDERED.

Date: 8/17/2021
New York, New York


Mary Kay Vyskocil
United States District Judge

Re: *United States v. Ochiabutor Sorenson Oruche*, 20 Cr. 657 (MKV)


Dear Judge Vyskocil:

The Government writes on behalf of both parties to respectfully request that the Court conduct the upcoming August 21, 2021 sentencing of defendant Ochiabutor Sorenson Oruche by remote videoconference. As the Court is aware, the defendant resides in Houston, Texas and currently lacks valid photo identification that would permit him to travel to New York to appear for sentencing in person. The defendant is aware of his right to proceed in person and consents to being sentenced by videoconference. The parties respectfully submit that, under the CARES Act, the sentencing cannot be further delayed without harm to the interests of justice, because: (1) this case has already been pending for more than a year; (2) the Court has indicated its intention to remand the defendant immediately upon sentencing, which would be frustrated by any further delay; (3) an in-person proceeding will not be reasonably feasible for some time, given the current spike in COVID-19 cases across the country and the defendant's present inability to travel; and (4) the parties' and the public's interest in finality, certainty, and the speedy disposition of criminal cases all require that the sentencing proceeding occur without further delay. Pursuant to the Court's directive, the Government will make the necessary arrangements for the defendant to appear by videoconference from the federal courthouse in Houston.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by:


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cc: Gerald Di Chiara, Esq. (by ECF)